

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

DEC 21 2004

JOHN J. SULLIVAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

THE EXPORT-IMPORT BANK OF)
THE REPUBLIC OF CHINA,)

Plaintiff,)

v.)

REPUBLIC DU NIGER,)

Defendant.)

OBJECTION TO SUBPOENA

Miscellaneous Action No.: 7:04 MC 00051

Case No.: 97 CIV 3090 (LAK)

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

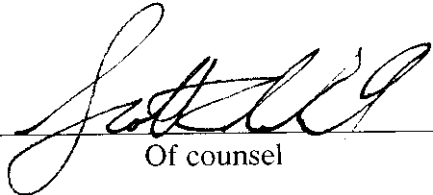
NOW COMES, FIRST NATIONAL BANK, by counsel, pursuant to Rule 45(c)(2)(B), and objects to the subpoena issued by the Plaintiff and in support of its objection states as follows:

1. On or about December 16, 2004, First National Bank was served with an Information Subpoena, issued out of the United States District Court, Western District of Virginia, by Counsel for the Plaintiff in the above captioned matter. (Exhibit A).
2. The Information Subpoena commands First National Bank to conduct a detailed inquiry of its financial records, search and provide answers to numerous questions and produce copies of records.
3. Complying with the Information Subpoena may require First National Bank to suffer a significant expense resulting from the inquiry, search, inspection and copying commanded.
4. First National Bank is not a party to the above-captioned matter.

WHEREFORE, First National Bank objects to any significant expense it might incur in complying with the Information Subpoena and respectfully requests that the Court protect its interests by entering an Order requiring the issuing party to reimburse First National Bank for all reasonable expenses incurred in complying with said subpoena.

This the 20th day of December, 2004.

FIRST NATIONAL BANK,

By: _____
Of counsel

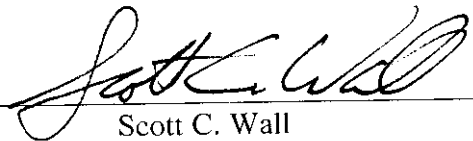
Scott C. Wall (VSB No.: 47508)
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GREGORY & SMITH, P.C.
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Martinsville, VA 24114-0072
Telephone : (276) 638-2367
Telefax: (276) 638-1214
Counsel for First National Bank

CERTIFICATE OF SERVICE

I, Scott C. Wall, hereby certify that true and accurate copies of the foregoing **OBJECTION TO SUBPOENA** was served this 20th day of December, 2004 by depositing in an official depository of the United States Mail with adequate postage thereon and addressed as follows:

Paul E. Summit (PS 6263)
Andrew T. Solomon (AS 9200)
1290 Avenue of the Americas, 29th Floor
New York, New York 10104
*Counsel for Plaintiff The Export-Import Bank of
The Republic of China*

This 20th day of December, 2004.



Scott C. Wall